Brainerd, MN
September 19, 2016

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:30 P.M. by Council President Scheeler.

Upon roll call, the following members were noted as present: Hilgart, Koep, Pritschet, Bevans, Johnson, Borkenhagen and Scheeler. Mayor Menk was also noted as present.

The Chair opened the meeting with the Pledge of Allegiance to the Flag.

City Administrator Thoreen announced a list of corrections to the September 9, 2016 meeting minutes; however, Council Member Bevans called for point of order, stating that the agenda should be approved prior to these corrections being called for and approved based on the draft minutes being part of the Consent Calendar.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

Alderman Bevans stated that, per City Attorney, the proper way to make corrections to the draft minutes is to remove that item from the Consent Calendar by roll call and vote on both items separately.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON TO ADOPT THE CONSENT CALENDAR WITH “ITEM A” REMOVED.

B. Approval of Licenses – (See Attachment)

1. Contractor’s Licenses – 2 – Renewals

C. Department Activity Reports – (See Attachments)

1. Police Chief
2. Finance Director
3. City Administrator

D. Minnesota Lawful Gambling Application to Conduct Excluded Bingo – Submitted by Lakes Area USBC Bowling Association to Conduct Excluded Bingo on November 14-18, 2016 and March 20-24, 2017 – Approval of

Upon roll call, members Hilgart, Koep, Pritschet, Bevans, Johnson, Borkenhagen and Scheeler voted “aye.” No member voted “nay.” The Chair declared the motion carried.

A. Approval of the Minutes of the Regular Meeting held on September 6, 2016, and the Budget Workshop held on September 12, 2016, as distributed

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON SEPTEMBER 6, 2016, AND THE BUDGET WORKSHOP HELD ON SEPTEMBER 12, 2016, WITH THE FOLLOWING CORRECTIONS:

September 6, 2016 Meeting:

- Page 2 – LMCIT Renewal, the word **International** should be **Insurance**.
- Page 2 – Computer Security/End Point Protection, the word **Informational** should be **Information**
- Page 2 – Subordination Agreement, the address of 2818 Clara Street should be included in the motion.
- Page 5 – Bids for Improvement 15-11 reads, "should be returnable on Monday, September 19, 2016 at 4:30 P.M." – Time should be omitted

September 12, 2016 Meeting:

- *Add Fire Chief Holmes to those listed as present*

Upon roll call, members Hilgart, Koep, Pritschet, Bevans, Johnson, Borkenhagen and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills, Transfer of Funds & Payments to Contractors – Approved

General Fund to Public Safety Fund	$365,000.00
General Fund to Park Fund	$45,000.00
General Fund to Street & Sewer	$50,000.00
General Fund to Airport Fund	$12,960.00
	$472,960.00

Parking Lot Fund to Street & Sewer Fund	$4,308.89
Parking Lot Fund to Construction Fund	$1,633.14
Fire Capital to General Capital	$100,000.00
	$105,942.03

Contractor	IMP #	Project	Amount	Total Retained On Project
CWC Hwy Dept	14-09	Novotny Rd to CSAH 19 – Final	$33,960.00	0
Tom's Backhoe	14-15	Airport Util Ext thru 8/31	$557,748.41	$29,355.18

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON TO APPROVE PAYMENT OF BILLS, TRANSFER OF FUNDS AND PAYMENTS TO CONTRACTORS AS RECOMMENDED BY THE PERSONNEL AND FINANCE COMMITTEE.

Upon roll call, members Hilgart, Koep, Pritschet, Bevans, Johnson, Borkenhagen and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried.

Computer Security/End Point Protection – Authorize Purchase of Necessary Licensing/Software/Hardware to Add Cisco Endpoint Protections Security Network at a Cost Not to Exceed $17,223 – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO AUTHORIZE THE PURCHASE OF NECESSARY LICENSING/SOFTWARE/HARDWARE TO ADD CISCO ENDPOINT PROTECTIONS SECURITY NETWORK AT A COST NOT TO EXCEED $17,223.

Resolution No. 39:16 Adopted – Decertifying Tax Increment Financing District No. 4-14/Brainerd Oaks – Effective December 31, 2016

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET TO ADOPT RESOLUTION NO. 39:16 – DECERTIFYING TAX INCREMENT FINANCING DISTRICT NO. 4-14/BRAINERD OAKS.

RESOLUTION NO. 39:16

Upon roll call, members Hilgart, Koep, Pritschet, Bevans, Johnson, Borkenhagen and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

Insurance Options Follow Up – No Action Taken

Committee Chair Koep reported that Committee recommends no action is taken until an appraisal is completed by the League of MN Cities on the insurance of City Hall.

Police Department – Purchase In-Squad Video with DWI Forfeiture Funds – Authorize Use of up to $22,000 to Purchase and Install Four New Systems as Requested – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO AUTHORIZE THE USE OF NOT MORE THAN $22,000 FROM DWI FORFEITURE FUNDS TO PURCHASE AND INSTALL FOUR NEW IN-SQUAD VIDEO SYSTEMS IN POLICE DEPARTMENT VEHICLES.

Safety and Public Works Committee Report

Resolution No. 40:16 Adopted – Accepting Bid in the amount of $48,921.50 from DeChantal Excavating LLC for the O Street Sanitary Sewer Receptor Replacement Project for Improvement 15-11

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART TO ADOPT RESOLUTION NO. 40:16 – ACCEPTING THE BID IN THE AMOUNT OF $48,921.50 FROM DECHANTAL EXCAVATING LLC FOR THE O STREET SANITARY SEWER RECEPTOR REPLACEMENT PROJECT FOR IMPROVEMENT 15-11.

RESOLUTION NO. 40:16

Upon roll call, members Hilgart, Koep, Pritschet, Bevans, Johnson, Borkenhagen and Scheeler voted “aye.” No member voted “nay.” The Chair declared the motion carried and the resolution adopted.

Committee Chair Bevans reported that this will be paid from the SAC fund.

Resolution No. 41:16 Adopted – Declaring Costs to be Assessed and Ordering a Public Hearing to be held at 7:30 P.M. on October 17, 2016 for Improvement 14-08 and 14-09

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN TO ADOPT RESOLUTION NO. 41:16 – DECLARING COSTS TO BE ASSESSED, ORDERING PREPARATION OF PROPOSED ASSESSMENTS AND ORDERING A PUBLIC HEARING TO BE HELD ON OCTOBER 17, 2016 FOR IMPROVEMENT 14-08 AND IMPROVEMENT 14-09.

RESOLUTION NO. 41:16

Upon roll call, members Hilgart, Koep, Pritschet, Bevans, Johnson, Borkenhagen and Scheeler voted “aye.” No member voted “nay.” The Chair declared the motion carried and the resolution adopted.

Resolution No. 42:16 Adopted – Declaring Costs to be Assessed and Ordering a Public Hearing to be held at 7:30 P.M. on October 17, 2016 for the Downtown Special Services District

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART TO ADOPT RESOLUTION NO. 42:16 – DECLARING COSTS TO BE ASSESSED, ORDERING PREPARATION OF PROPOSED ASSESSMENTS AND ORDERING A PUBLIC HEARING TO BE HELD ON OCTOBER 17, 2016 TO DISCUSS PROPOSED ASSESSMENTS FOR THE DOWNTOWN SPECIAL SERVICES DISTRICT.

RESOLUTION NO. 42:16

Upon roll call, members Hilgart, Koep, Pritschet, Bevans, Johnson, Borkenhagen and Scheeler voted “aye.” No member voted “nay.” The Chair declared the motion carried and the resolution adopted.

2016 Nuisance Assessments – Set Public Hearing to be held at 7:30 P.M. on October 17, 2016 – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO HOLD A PUBLIC HEARING AT 7:30 P.M. ON OCTOBER 17, 2016 TO DISCUSS THE 2016 NUISANCE ASSESSMENTS.

Improvement 16-09 – Buffalo Hills Lane Construction – Informational

Committee Chair Bevans reviewed Committee’s discussion on the following items following a request for feedback as requested by staff:

1. Preferred project limits
2. Preferred design section

3. Drainage related issues and how to fund them
4. Assessment methodology
5. Project timing

Following Council discussion on the same, Committee Chair Bevans stated that there will be further discussions on this project before any final decisions are made.

Event/Street Closure Application – Sunday, September 25, 2016 at 607 Holly Street – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO APPROVE THE EVENT/STREET CLOSURE APPLICATION FOR AN EVENT AT HOLLY STREET BETWEEN NORTH 6TH AND NORTH 7TH STREET ON SUNDAY, SEPTEMBER 25, 2016 FOR A PRIVATE AUCTION.

Unfinished Business

Call for Applicants – Informational:
(Application Information at www.ci.brainerd.mn.us/boards/)
Cable TV Advisory Committee – 1 Term to expire 12/31/2016
Rental Dwelling Board of Appeals – 1 "Tenant Representative" Term to expire 12/31/16
Ad Hoc Walkable Bikeable City Committee

New Business

2017 Preliminary Levy and Budget:

Resolution No. 43:16 Adopted – Setting the Amount for the City's 2017 Preliminary Levy at $5,373,778 plus $121,407 for the HRA

MOVED AND SECONDED BY ALDERMEN HILGART AND BEVANS TO ADOPT RESOLUTION NO. 43:16 – SETTING THE CITY OF BRAINERD'S 2017 PRELIMINARY LEVY AT $5,373,778 PLUS $121,407 FOR THE HRA.

Mayor Menk reminded the Council that the levy amount can always be reduced but not raised.

City Administrator Thoreen stated that staff will work within the budget set by Council and discussed options that staff can work on prior to the final levy to be set in December.

Council discussion was held.

RESOLUTION NO. 43:16

Upon roll call, members Hilgart, Koep, Bevans, Johnson and Scheeler voted "aye." Members Pritschet and Borkenhagen voted "nay." The Chair declared the motion carried and the resolution adopted.

Set Date for Budget Public Hearing – To be held on Monday, December 12, 2016 at 6:00 P.M. in the City Hall Council Chambers – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO HOLD THE BUDGET PUBLIC HEARING ON MONDAY, DECEMBER 12, 2016 AT 6:00 P.M.

Public Forum

The Chair recognized Mr. John Mitchel, 602 ½ Laurel Street, Brainerd, who expressed concern over Brainerd not having a homeless shelter.

Following Council discussion, it was determined that the item will appear on a future Safety and Public Works Committee agenda.

Staff Reports – Written

City Administrator Thoreen recognized the students present in the audience. He discussed the process of committees and city council procedures and reminded the students that are of voting age to take part in that civic obligation and right to do so.

Council Member Reports

Council Member Hilgart stated that she had attended the "Business After Hours" at the Airport which was a great event.

Council Member Bevans reminded the Council of the joint meeting between the Safety and Public Works Committee and the Walkable Bikeable Committee meeting which the meeting is being adjourned to.

Council Member Koep reminded the Council that the Arboretum open house for the new "fitness trail" will be held from 2:00 P.M. to 3:00 P.M. on Wednesday, September 28, 2016.

Mayor Menk stated that the "Brainerd's Request for the Detachment and Annexation of BPU Property" is on the Baxter City Council agenda for their meeting on Tuesday, September 20, 2016 at 7:00 P.M. He stated that he will attend and asked for anyone else interested to please let him know.

Mayor Menk stated that the Council of Brainerd is a Charter City, meaning he acts as the executor of the Council Members who act as legislature. He stated that based on this, he has the next five days to decide if he will accept or decline the recommendation for the 3% preliminary levy set this evening. Should he choose to decline the action, the Council will need to hold a special meeting. He stated that he will be reviewing the information and keep the Council posted on his decision.

Adjourn – To Joint Meeting of the Walkable Bikeable City Committee and Safety and Public Works Committee to be held at 6:00 P.M. on Monday, September 26, 2016 in the City Hall Conference Room.

The Chair adjourned the meeting at 8:06 P.M.

JAMES M. THOREEN
City Administrator